

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

IN THE MATTER OF THE REQUEST FOR
AGENCY ACTION OF UTAH DIVISION OF OIL,
GAS, AND MINING FOR A CESSATION ORDER
AND CIVIL PENALTIES AGAINST
MONTEZUMA WELL SERVICE, INC., AND
EARL MARTINEZ, OWNER AND OPERATOR OF
THE MONTEZUMA CREEK WASTE DISPOSAL
FACILITY SECTION 14, T 40 So., R. 22 EAST,
SAN JUAN COUNTY, UTAH.

NOTICE OF HEARING

Docket No. 2009-015
Cause No. WD-04-2009

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING
MATTER.

Notice is hereby given that the Board of Oil, Gas, and Mining (“Board”), State of Utah, will conduct a hearing on WEDNESDAY, AUGUST 24, 2016, at 10:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah. The hearing will be streamed live on the Department of Natural Resources YouTube channel at <https://youtu.be/p6HZrvmEPos..>

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. as provided for by Utah Code Ann. § 40-6-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Notice of Agency Action filed by the Utah Division of Oil, Gas and Mining (the “Division”) that the Board take the following actions:

1. Receive the report of the Division of Oil, Gas and Mining ("Division) regarding actions taken by Montezuma Well Services, Inc. and Earl Martinez to fulfill the terms of a stipulation entered to stay the actions requested in the Request for Agency Action;
2. If appropriate set the matter for an evidentiary hearing for the purpose of forfeiting the bond and terminating the permit; and
3. Provide such other relief as may be just and equitable under the circumstances.

Objections to the Notice of Agency Action must be filed with the Secretary of the Board at the address listed below no later than August 10, 2016. A party must file a timely written objection or other response in order to participate as a party at the Board hearing. Failure to participate can result in a default judgment.


Natural persons may appear and represent themselves before the Board. All other representation of parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Notice of Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned, and inspected online at the Utah Board of Oil, Gas and Mining's website at <http://ogm.utah.gov/amr/boardtemp/redesign/books.html>.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 28th day of July, 2016.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
Ruland J. Gill, Jr., Chairman



/s/ Julie Ann Carter

Board Secretary
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116
(801) 538-5277

CERTIFICATE OF PUBLISHED NOTICE

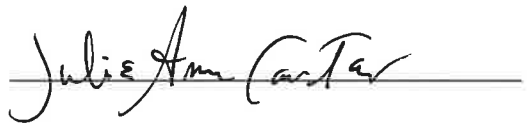
I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2009-015, Cause No. WD-04-2009 to be PUBLISHED in the following newspapers on the following days:

August 7, 2016:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

August 3, 2016:

San Juan Record, a newspaper of general circulation in San Juan County.



CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2009-015, Cause No. WD-04-2009 to be mailed with postage prepaid to the addresses shown this 29th day of August, 2016, to the following:

Earl Martinez
Personally and as President
Montezuma Well Service, Inc.
P.O. Box 540
Montezuma Creek, UT 84534

Ernestine Chief
Montezuma Well Service, Inc.
P.O. Box 540
Montezuma Creek, UT 84534

Sonja F. Wallace
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Michael S. Johnson
Assistant Attorney Generals
Counsel for the Utah Board of Oil, Gas, and
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Steven F. Alder
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Mining (hand-delivered)